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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/521,608

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Peter Alexander Pas

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EXAMINER

NGUYEN, HOANG M

ART UNIT

PAPER NUMBER

3748

NOTIFICATION DATE

DELIVERY MODE

05/20/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

Office Action Summary	Application No. 10/521,608	Applicant(s) PAS, PETER ALEXANDER	
	Examiner Hoang M. Nguyen	Art Unit 3748	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Applicant's amendment dated April 20, 2010, has been fully considered.

Applicant argued Dederick does not disclose a mobile power station with a housing. The Examiner disagrees. The tidal barge 16 can be considered a housing to contain all the power generating systems like solar 12, wind generator 14, or wave generator 18. On column 8, lines 24-50, Dederick clearly explains the tidal barge can be movable and fixed at the desired locations (to be directed into the tidal flow and thereafter fixed). Because the fuel cell and hydrogen tank are connected to the generators, they must be on the barge as well. Note the storage tanks 32, 33, on the barge in figure 7.

Applicant argued there is no motivation to combine Dederick with Bossinger because the cart in Bossinger is too small compared with Dederick and no hydrogen is needed in the cart. The Examiner disagrees because Bossinger already teaches the concept of using different types of energy generators, it would have been obvious to use another energy generator by using hydrogen. The concept of using hydrogen as a source of energy is not dependent from the size of the cart because the cart is big enough to carry a hydrogen tank, and it would benefit the user more by adding another energy source.

Regarding claim 15, Applicant argued DE 375498 does not disclose a housing with the component of claim 9. please note DE 375498 is used to show the extendable

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support. The primary reference, Bossinger already teaches the housing as claimed. It's improper to attack the references individually but must consider the rejection as a whole.

For the reasons set forth above, the rejections have been maintained and this Office Action has been made FINAL.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9, 13, 14, 16-19, 21, 23, 27, 28, are rejected under 35 U.S.C. 102(b) as being anticipated by US 5512787 (Dederick).

Dederick discloses a portable power plant which can be used in a vehicle or a marine craft (column 4, lines 61-63), the system comprising many different renewable energy generators including a solar panel collector 12, a wind generator 14, a tidal barge 16, a wave action generator 18, a wave wind generator 20, a switch control S1 for collecting electricity from those generators (column 5, lines 29-68 to column 6, lines 1-21); electrolyzer 22 for using the electricity from said control S1 to generate hydrogen 28 and oxygen 26, to be stored in oxygen storage 30, hydrogen storage 32, a fuel cell 38 for oxidizing said hydrogen to generate power to be stored in battery banks 44.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 13, 14, 16-19, 21, 23, 27-28, are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 94/20802 (Bossinger et al) in view of US 5512787 (Dederick). Bossinger et al discloses a portable wind turbine transportable housing. The reference 1 (DI: WO 94/20802 A1) also discloses a mobile power station, and it has disclosed the following technical features: the mobile power station comprises a wind-energy power system 8 comprised of a rotor blade 81 and a wind-energy generator 9; a solar cell panel 25 containing solar cells 6, storage means 4 for storing electrical energy and delivery means 41 for delivering electrical energy, wherein the wind-energy power system and the solar panel, respectively, are connected to the storage means for supplying electrical energy, respectively, to said storage means (see abstract, page 1, lines 6-11, page 2, line 16 to page 3, line 5, page 5, lines 15-26, page 7, lines 6-37, page 8, lines 13-16, page 15, lines 27-34, and Figures 1-6). Bossinger et al does not disclose "the storage means comprise a battery and a hydrogen system, and wherein the hydrogen system comprises a hydrogen generator, a hydrogen tank, actively connected to the hydrogen generator, for storing hydrogen produced using the hydrogen generator, and a hydrogen cell, actively connected to the hydrogen tank, for generating electrical energy by combustion of hydrogen". Dederick discloses a portable power plant which can be used in a vehicle or a marine craft (column 4, lines 61-63), the

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system comprising many different renewable energy generators including a solar panel collector 12, a wind generator 14, a tidal barge 16, a wave action generator 18, a wave wind generator 20, a switch control S1 for collecting electricity from those generators (column 5, lines 29-68 to column 6, lines 1-21); electrolyzer 22 for using the electricity from said control S1 to generate hydrogen 28 and oxygen 26, to be stored in oxygen storage 30, hydrogen storage 32, a fuel cell 38 for oxidizing said hydrogen to generate power to be stored in battery banks 44. It would have been obvious to modify the system in Bossinger to have the storage with battery and hydrogen system as taught by Dederick for the purpose of storing energy and hydrogen, and to use a fuel cell using hydrogen as fuel as taught by Dederick for the purpose of generating more electricity. Regarding claim 19, it would have been obvious to provide a vent in Bossinger et al for the purpose of venting the pressure. Regarding claim 21, it would have been obvious to select the size of the container for the purpose of achieving appropriate power input.

Claims 10-12, 20, 24-26, are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 94/20802 (Bossinger et al) in view of Dederick and DE 9321520. Bossinger et al as modified discloses all the claimed subject matter as set forth above in the rejection of claim 9, but does not disclose a filter system with membrane type. DE 9321520 discloses a system using a filter system F1, F2, in a power plant in order to eliminate contaminants. It would have been obvious to modify the system in Bossinger to have the filter means as taught by DE 9321520 for the purpose of eliminating contaminants.

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 94/20802 (Bossinger et al) in view of Dederick and DE 375,498. Bossinger et al as modified discloses all the claimed subject matter as set forth above in the rejection of claim 9, but does not disclose a frame with extendable support. DE 375,498 discloses a system using a frame p with extendable support y. It would have been obvious to modify the system in Bossinger to have the frame with extendable support as taught by DE 375498 for the purpose of being able to adjust the position of the power plant.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Examiner Nguyen whose telephone number is (571) 272-4861. The examiner can normally be reached on Tuesday--Friday from 12:30 AM to 10:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on 571-272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Hoang M Nguyen/
Primary Examiner, Art Unit 3748

HOANG NGUYEN
PRIMARY EXAMINER
ART UNIT 3748

Hoang Minh Nguyen
5/18/2010